

TRUSTEES OF THE OPERATING)	
ENGINEERS PENSION TRUST, et al.,)	
)	
Plaintiff(s),)	Case No. 2:13-cv-01403-JAD-NJK
)	
vs.)	ORDER
)	
LAND SURVEY TECHNOLOGIES INC., et al.,)	(Docket No. 17)
)	
Defendant(s).)	
)	

Pursuant to Federal Rule of Civil Procedure 15(a), “[t]he court should freely give leave when justice so requires,” and there is a strong public policy in favor of permitting amendment. *Bowles v. Reade*, 198 F.3d 752, 757 (9th Cir. 1999). As such, the Ninth Circuit has made clear that Rule 15(a) is to be applied with “extreme liberality.” *Eminence Capital, LLC v. Aspeon, Inc.*, 316 F.3d 1048, 1051 (9th Cir. 2003). In deciding a motion for leave to amend, the court considers five factors: (1) bad faith; (2) undue delay; (3) prejudice to the opposing party; (4) futility of amendment; and (5) whether the plaintiff has previously amended the complaint. *United States v. Corinthian Colleges*, 655 F.3d 984, 995 (9th Cir. 2011). No Defendant has appeared in this case. *See* Docket. Therefore, no prejudice to any opposing party exists. Further, Plaintiffs have not previously amended the complaint, and the Court finds that amendment would not be futile or in bad faith.

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1 Accordingly,

2 **IT IS HEREBY ORDERED** that Plaintiffs' motion to amend (Docket No. 17) is
3 **GRANTED**. Plaintiffs shall file the Amended Complaint, attached to their motion as Exhibit 1, on
4 the docket no later than August 4, 2015.

5 DATED: July 28, 2015

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NANCY J. KOPPE
United States Magistrate Judge